

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14790 of 2020

Arising Out of PS. Case No.-238 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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Murari Chaudhary Son of Valmaki Chaudhary Resident of Village- Dadpur,
P.S.- Bhagwanpur (Tiyay), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 02-06-2020 Heard learned counsel for the parties through video conferencing.

This relates to grant of bail in Sahapur Kamal P.S. Case No. 238 of 2019 registered for the offence under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

As per F.I.R., there is recovery of one country-made loaded pistol and a live cartridge from the possession of petitioner.

It is submitted on behalf of petitioner that petitioner is innocent and he has falsely been implicated by the police due to previous enmity. It is further submitted that no incriminating article, as alleged in the F.I.R., has been recovered from the



possession of the petitioner and no case under Sections 399 and 402 of the I.P.C. is made out against him. It is submitted that similarly situated co-accused has already been granted bail by this Court, vide order dated 02-03-2020 passed in Cr.Misc. No. 10857 of 2020. The petitioner is in custody since 29-07-2019.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Sahapur Kamal P.S. Case No. 238 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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